

Comment Form

STATE DEPARTMENT

Title: Hague Convention on Intercountry Adoption; Intercountry Adoption Act of 2000; Accreditation of Agencies; Approval of Persons; Preservation of Convention Records; Extension of Comment Period
 Subject Category: Intercountry Adoption Act of 2000: Hague Convention-- Agency accreditation and person approval

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Phase: PROPOSED RULES

How To Comment:

Commenters may send hard copy submissions or comments in electronic format. Commenters sending only hard copies must send an original and two copies referencing docket number State/AR-01/96 or State/AR-01/98 to: U.S. Department of State, CA/OCS/PRJ, Adoption Regulations Docket Room, SA-29, 2201 C Street, NW., Washington, DC 20520. Hard copy comments may also be sent by overnight courier services to: U.S. Department of State, CA/OCS/PRJ, Adoption Regulations Docket Room, 2201 C Street, NW., Washington, DC 20520. Do not personally hand deliver comments to the Department of State. Comments referencing the docket number State/AR-01/96 or State/AR-01/98 may be submitted electronically to adoptionregs@state.gov. Two hard copies of the comments submitted electronically must be mailed under separate cover as well. Electronic comments must be made in the text of the message or submitted as a Word file avoiding the use of any form of encryption or use of special characters. If you submit comments by hard copy rather than electronically, include a disk with the submission if possible. Hard copy submissions without an accompanying disk file, however, will be accepted.

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Regulations.gov #: EREG - 13

Date Submitted: Dec 15, 2003

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Comment

There are several regulations that seem impractical for an adoption agency. One area is the requirement of \$1,000,000,000 insurance per occurrence. Another is the requirement for three months of cash reserves. This is not practical for small agencies that are performing just fine in the community. Additionally, giving the responsibility for the actions of the people involved in the sending country is an impossible burden for the average small adoption agency that does not have their own staff in the sending countries. The financial audit requirement is excessive. I think they should be able to demonstrate fiscal responsibility by a lesser audit function. For the accrediting entities, having to assume the responsibility/liability for the actions of all involved in the international adoption process both in the US and in the sending countries is impossible to achieve and enforce. It is the responsibility of the entity to review adoption practice in the agencies according to the Hague regulations. This review is documented. That should be the end of the responsibility/liability. If there are problems subsequent to the accreditation, there is a paper trail to follow in order to address any performance problems both for the adoption agency and the entity. That is all you can reasonably expect.